



PERSONNEL: Teachers

Awarding and Maintaining Tenure

I. Purpose

To define tenure and outline guidelines for teachers to attain and maintain tenure in Baltimore County Public Schools (BCPS).

II. Definitions

- A. *Administrator* – A certificated individual who serves in the position of principal or supervisor and who is responsible for the evaluation of teachers assigned to his/her school and/or program/office.
- B. *Regular Teacher’s Contract* – Code of Maryland Regulations (COMAR) prescribed employment contract entitled “Regular Contract” for all employees who hold professional certificates.
- C. *Provisional Contract* – COMAR prescribed employment contract for employees who do not meet the requirements for a professional certificate and who hold a conditional or resident teacher certificate.
- D. *Teacher* – For the purpose of this rule, a teacher includes all employees who hold a valid professional certificate issued by the state of Maryland and who are represented by the Teachers’ Association of Baltimore County (TABCO).
- E. *Tenure* – A term used to describe a teacher who has completed three consecutive years of effective or highly effective teaching in BCPS, who has been issued a Regular Teacher’s Contract and who is reemployed with BCPS for the following school year.

III. Probationary Period

- A. Except as provided in paragraphs IV and V, the probationary period of employment of a BCPS teacher who holds a Maryland Professional Certificate shall be three years from the date of employment and shall consist of a one (1)-year employment Regular Teacher’s Contract that may be renewed by the Board of Education of Baltimore County (Board).

- B. The Board may terminate a regular teacher's contract under this paragraph at the end of the first, second or third school year; or the first, second or third anniversary date of employment in regard to employees hired after January 1 following the commencement of a school year.
- C. A teacher who holds a Maryland Professional Certificate must teach effectively or highly effective for three years following the date of employment in accordance with the provisions of his/her Regular Teachers' Contract before being granted tenure.

IV. Extension of Probationary Period

- A. If an administrator is unable to complete the evaluation process during a teacher's probationary period due to the teacher's approved, repeated and/or extended absences, the teacher shall repeat his/her first, second or third probationary year.
- B. A probationary teacher who has been granted an extension under this paragraph must earn a performance rating of effective or highly effective for each of the three (3) probationary years in order to attain tenure.
- C. The Chief Human Resources Officer shall notify the employee in writing of any extension of the probationary period granted under this paragraph.

V. Teachers Tenured in another Maryland Local School System

- A. A certificated teacher who has achieved tenure in another Maryland local school system and who accepts employment with BCPS shall retain tenure in BCPS under the following conditions:
 - 1. The regular teacher's contract is renewed after one year of probationary employment in BCPS;
 - 2. The teacher's final evaluation rating in the local school system from which the teacher departed is "effective" or highly effective; and
 - 3. There has been no break in the teacher's service between the prior school system and BCPS of longer than one year.
- B. The probationary period for a tenured certificated teacher hired by BCPS, as specified in Subparagraph V(A) above, may be extended for a second year from the date of employment if:
 - 1. The teacher does not qualify for tenure at the end of the first year based on established performance evaluation criteria; and

2. The teacher demonstrates a strong potential for improvement.

VI. Provisional Contract

- A. A teacher who holds a *Provisional Contract for Conditional or Resident Teacher Certificate Holders*, who has completed a minimum of three consecutive years of effective or highly effective teaching performance for BCPS following the date of employment, has met all performance standards and has completed all contingencies outlined at the time of initial employment will be granted tenure with the issuance of a Regular Teacher's Contract.
- B. A teacher who holds a *Provisional Contract for Conditional or Resident Certificate Holders* shall be given credit toward tenure for years served as a provisional employee and shall be granted tenure, if he/she has three or more years of effective or highly effective teaching experience on such provisional or conditional certificate upon the issuance of a Regular Teacher's Contract.

VII. Loss of Tenure

- A. The teacher must maintain his/her Maryland Standard Professional Certificate or Advanced Professional Certificate in order to retain a Regular Teacher's Contract and maintain tenure.
- B. If a teacher ceases to hold a Maryland Standard Professional Certificate or Advanced Professional Certificate, the Regular Teacher's Contract shall automatically terminate.
- C. When a tenured teacher loses his/her certification, he/she shall be considered a non-tenured teacher. At such time, it shall be within the full discretion of the appropriate administrator to grant a *Provisional Contract for Conditional or Resident Teacher Certificate Holders* contract ("Provisional Contract") and place the employee on a one (1) year probationary period of employment. If a provisional contract is granted, and the teacher has reinstated his/her professional certificate, a Regular Teacher's Contract will be issued.

VIII. Non-Renewal

Nothing in this rule shall preclude the Board from non-renewing a probationary or provisional teacher's contract upon written notice to the teacher.

Legal References: *Annotated Code of Maryland*, Education Article §4-205, *Powers and Duties of County Superintendent*
Annotated Code of Maryland, Education Article §6-102, *Classification of Certificates*
Annotated Code of Maryland, Education Article §6-202, *Suspension or Dismissal of Teachers, Principals, Supervisors, Assistant Superintendents or other Professional Assistants*
COMAR 13A.07.02.01, *Contracts*
COMAR 13A.07.04, *Evaluation of Professionally Certificated Personnel*

Related Policies: Board of Education Policy 4004, *Evaluations*

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